

The Arab Campaign
Against
AMERICAN JEWS

A STATEMENT
*of the facts and a consideration of America's
moral and diplomatic responsibility*

AMERICAN JEWISH CONGRESS
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THE ARAB CAMPAIGN AGAINST AMERICAN JEWS

FOREWORD

One of the least known by-products of current Arab-Israel hostility is the widespread campaign by Arab League countries against Jews in the United States. Internal anti-Jewish campaigns indulged in by Arab states at the expense of their own subjects may be a matter for their sovereign discretion and even then may contravene commitments undertaken pursuant to the United Nations Charter. But efforts to package and export anti-Semitism to this country, especially when that anti-Jewish sentiment is directed at American citizens, becomes a matter demanding immediate remedial action by our own government.

The principal forms of discrimination currently employed by the Arab states against American Jews may be classified into three categories: (1) Arab denial of entry or transit visas to American Jews; (2) Arab boycott of American Jewish businesses; (3) The establishment and subvention of large-scale Arab propaganda centers to disseminate anti-Semitic literature in the United States. Each of these is discussed in detail at a later point in this paper.

Some of these anti-Jewish discriminatory practices have been continued over a period of years without occasioning more than gentle rebuke from any agency of the United States. Whatever expressions of disapproval have recently been made by our State Department have tended to be perfunctory and short-lived, limited to the writing of notes and the routine exchange of correspondence. Not once in recent years has this country ventured beyond mild protest into any form of action.

Encouraged by this seeming official casualness, if not indifference, the Arab states continue to act virtually as they please in the mistreatment of American Jews, perfectly confident that our government will not uphold the rights of its Jewish citizens. The apathy and apparent indifference of our government has served not only to intensify Arab hostility to Jews within their own territories but to increase and introduce anti-Semitism in new and unexpected quarters here.

The most recent illustration of State Department thinking on these issues may be found in the testimony of Secretary of State John Foster Dulles before the Senate Foreign Relations Committee on February 24, 1956. Those portions of Mr. Dulles' statement that are relevant to matters discussed in this memorandum are contained in the following colloquy with Senator Hubert Humphrey of Minnesota:

Senator Humphrey — Speaking of Americans who are in Saudi Arabia, is it true what I read in the paper here, and which I spoke about in the Senate, and which today the Pentagon apparently seems to feel is true, but I want to get all departments in on it, to the effect that arrangements have been arrived at between our Government and Saudi Arabia under the terms of the Mutual Security Agreement and our air base at Dhahran, that *certain American personnel are not permitted to be stationed in Saudi Arabia, American personnel of the Jewish faith?*

Secretary Dulles — It may be. I think that for many years, not just in recent years, but that running over a long period of years, there has been a prohibition on Jews in Saudi Arabia.

Senator Humphrey — I mean Americans; I am talking about citizens of the United States of America.

Secretary Dulles — I am talking about persons of Jewish faith.

Senator Humphrey — Yes, but Americans.

Secretary Dulles — Yes, of any nationality.

Senator Humphrey — Is it true that *American businessmen who may be of the Jewish faith are not permitted to engage in commercial enterprise in Saudi Arabia* with our agreement and our recognition of that discrimination?

Secretary Dulles — No, not with our agreement or recognition of it. The King of Saudi Arabia regards himself as the primary custodian of the sacred places of the Moslem faith, and they have a long time been extremely rigorous in the practice of the Moslem law.

I was there — when I was there visiting King Ibn Saud, it was during the period of the Ramadan, where from the very time the sun rises in the morning — and at that time of the year it rises very early — until it sets at night, no one can take a drop of liquid or a bite of food, and the former King Ibn Saud was an aging feeble man, but he nevertheless stuck rigorously to that, and there is another prohibition that applies there also. There is not a drop of liquor that is allowed to be sold or used in the whole area.

Now, they have got some practices which we may think curious.

* * *

Now, we do not like or approve of or acquiesce, except perforce in any such practices, such as that, but we do have to recognize the fact that Saudi Arabia is an ally, became an ally

in the first instance, through the conversations and subsequent communications with President Roosevelt, and then it was confirmed by President Truman, and we have a very special relationship there with that Government.

That does not mean we approve of all its practices at all. It does mean we get along together in a way which is of mutual advantage.

We, perforce, accommodate ourselves to certain practices they have which we do not like; they, perhaps, accommodate themselves to certain of our idiosyncrasies which they do not like, but on the whole, they have a pretty arbitrary rule, largely dictated by the strict tenets of the Moslem faith. [Emphasis added]

The American Jewish Congress is an organization of American Jews whose membership is generally sympathetic to Israel. But our concern over the serious errors in national policy and diplomatic judgment discussed in this paper does not derive from either of these factors. The injury and affront we discuss here is sustained by all Americans who are currently made witness to arrogant Arab violation and disregard of the rights of American citizenship. We respectfully submit that the time is past due for our diplomatic representatives to resist such encroachments upon American rights with firmness and dignity.

We are not unmindful that much is at stake. American officials in high places have made it their business to emphasize frequently that the present unusual solicitude in dealing with Arab governments is designed to protect military and economic relations presumed to be vital to our material interests. We are told repeatedly that important commercial and industrial undertakings remain possible only because of American willingness to compromise and to accommodate Arab prejudice. We are warned that substantial American interests will be put in jeopardy if Arab-American relations are, in any way, strained or impaired. It is even intimated that we must concede something, even at the expense of a certain number of our citizens, in order not to risk this economic stake.

We submit that this view is a perversion of traditional and basic American doctrine. It reflects a way of thinking that accepts the subordination of the rights of citizenship to the expediciencies of international bargaining and that regards the legal incidents of citizenship as expendable items to be traded away. We cannot refrain from adding, though we do not believe this paper to be the appropriate occasion to argue this point at length, that it is doubly deplorable that this position should be urged to support a course of conduct that is not only morally wrong but badly calculated in terms of national advantage. We are convinced that a realistic appraisal

of the economic potential of the Middle East will disclose that no legitimate American interest is in real danger from Arab rulers who, however fanatic their religious hatreds, nevertheless remain hard-headed businessmen whose economic advancement is wholly dependent upon American investment dollars.

Issues of precisely this character are not without precedent for the United States. The diplomatic history of any great nation is the record of its capacity to sustain, or its willingness to abandon, those ideals that embody its national creed. When confronted with a threat to the liberties of its citizens, indeed, when forced to choose between condoning exactly the kind of anti-Semitism now practiced by the Arab states and risking the possibility of economic loss, this country did not in the past waver or equivocate. For us the claim of freedom has always been of greater force and dignity than the claim of profit.

When Woodrow Wilson was advised in 1911 (as we are now advised respecting the Arab states), that there must not be American diplomatic intercession against foreign anti-Semitism because of possible danger to American investment opportunities, he stated:

"... there lies a principle back of our life. America is not a mere body of traders; it is a body of free men. Our greatness is built upon our freedom—is moral, not material. We have a great ardour for gain; but we have a deep passion for the rights of man. Principles lie back of our action. America would be inconceivable without them. These principles are not incompatible with great material prosperity. On the contrary, unless we are deeply mistaken, they are indispensable to it. We are not willing to have prosperity, however, if our fellow-citizens must suffer contempt for it, or lose the rights that belong to every American in order that we may enjoy it. The price is too great." 48 *Congressional Record*, 497-498 (62d Congress, 2d Session, December 6, 1911.)

Before turning to a detailed examination of Arab anti-Semitism in the United States, we believe it pertinent, therefore, to consider briefly past actions taken by this country in protest of foreign anti-Semitic excesses.

I. American Diplomatic Precedents

American diplomats have never been diffident in denouncing religious discrimination against any American nationals who travel abroad. Under the Act of July 27, 1868 (15 Stat. 244) the President of the United States and the Department of State are required to take immediate action whenever the rights of any American citizen are violated or threatened by a foreign state. This right of protection admits of no religious limitation. As stated by Secretary of State Lewis Cass, the object of our foreign policy is "not merely to protect a Catholic in a Protestant country, a Protestant in a Catholic country, a Jew in a Christian country, but an American in all countries." (Quoted in J. B. Moore, *American Diplomacy* (1905), at p. 135.)

This diplomatic principle derives from the recognition by those charged with determining and administering our foreign policy that the defense of religious liberty is an inseparable aspect of all American undertakings. In a diplomatic note protesting Austro-Hungarian anti-Semitism directed at the family of an American minister-designate, Secretary of State Thomas F. Bayard declared in 1885:

Religious liberty is the chief cornerstone of the American system of government, and provisions for its security are imbedded in the written charter and interwoven in the moral fabric of its laws.

Anything that tends to invade a right so essential and sacred must be carefully guarded against, and I am satisfied that my countrymen, ever mindful of the sufferings and sacrifices necessary to obtain it, will never consent to its impairment for any reason or under any pretext whatsoever—.

It is not believed by the President that a doctrine and practice so destructive of religious liberty and freedom of conscience, so devoid of catholicity, and so opposed to the spirit of the age in which we live, can for a moment be accepted by the great family of civilized nations or be allowed to control their diplomatic intercourse.

Certain it is, it will never, in my belief, be accepted by the people of the United States nor by any administration which represents their sentiments. *Foreign Relations* (1885), page 50.

A. Czarist Russia

Perhaps the most noteworthy of all of the interpositions by our government to protect the rights of Jewish communities from the

force and effect of foreign anti-Semitic decrees—if only because it is virtually on all fours, both in the character of the anti-Semitic discrimination and in its attempted rationale, with the discrimination currently practiced by the Arab governments—was that made over a period of years in protest against Czarist Russia's expulsion and exclusion of American citizens of Jewish faith. This intercession with Russia is significant not only because it unequivocally fixed and defined American policy on this issue but also because it reflected the ardor with which American spokesmen insisted upon adherence to principle, even at the risk of commercial disadvantage, and in the enthusiasm and unanimity with which the people of this country endorsed that stand. We submit that neither the State Department nor the general community now should be content with any less zealous protection of fundamental rights.

In the 19th Century, Russian anti-Semitism, like Arab anti-Semitism today, was intense and deeply-rooted. The history of the Jews in Russia was a catalog of savage and bloody assaults upon them, attacks that were endorsed, either openly or tacitly, by the Russian government itself. In addition, the Czar had promulgated a network of anti-Jewish legislation directed nominally at his own Jewish subjects but applied without distinction to Jews of any nationality who found themselves within Russian borders. Among these restrictions were rules forbidding the free entry, travel or residence of Jews in certain parts of the country outside the Pale of Settlement. As a result American Jews who dared to enter the proscribed areas were forcibly expelled by order of the Russian authorities, while other Americans, non-Jews, but otherwise of identical status, were permitted freely to reside, travel, and transact business throughout Russia.

The State Department was thus forced to decide, exactly as it is forced to decide now, whether it would submit passively to the demands of religious prejudice or instead would endeavor to enforce throughout the world, even in those areas where it might be difficult or embarrassing to do so, the rights of American citizens of every religious persuasion, without distinction or difference. The State Department did not a hundred years ago hesitate to assume responsibility for all Americans, including American Jews, and it would be unconscionable and delinquent for any agency of our government now to do less.

When protests were made during the 1880's that American Jews were systematically expelled from certain parts of Russia, repeated attempts were made by American diplomats, first by exhortation and moral argument, to persuade the Russian government to adopt a

more humane attitude toward its own Jewish population and to extend to American Jews treatment equal in all respects to that accorded all other Americans. When these moral entreaties failed, this government moved firmly and decisively and abrogated the long-standing and profitable commercial treaty of 1832 between this country and Russia. Because of the failure of the Czarist regime to refrain from further anti-Semitic discrimination against American Jews, these treaty relations were never resumed.

The mere recital of the facts cannot fully disclose the high quality and courage of statesmanship, fully cognizant of all of its responsibilities, that culminated in this action. Some of the notes on the question prepared and dispatched by our highest diplomatic officers remain instructive in reminding us of the manner and context in which decisions affecting international behavior of this kind must be formulated.

Among those who were most forthright and uncompromising in demanding that the Russian government deal with all Americans equally and fairly was John W. Foster, the American Minister to St. Petersburg and the grandfather of the present Secretary of State, John Foster Dulles. It is an unusual family and an unusual historical era that permits grandfather and grandson during successive periods to pass directly upon the same urgent problem. It is to be hoped that Secretary Dulles will reconsider and examine the precepts and policies laid down on behalf of the United States by his grandfather, himself later to become an eminent Secretary of State, and that he will find implicit in those policies a moral view and a national commitment of lasting and enduring force.

In the late summer of 1880, Henry Pinkos, an American Jew who had assumed residence in St. Petersburg for several months with his wife and family and had established a small business there, was expelled from the city and the country as soon as his Jewish identity became known. Despite efforts by American officials to delay execution of his expulsion, Mr. Pinkos left Russia without awaiting further steps in his behalf. The Charge d'Affaires of the American Legation thereupon was disposed to drop the whole matter, stating that "there now appears to be no necessity for my communicating with the Russian Government."

Mr. Foster who was then newly-appointed United States Minister to St. Petersburg and the then Secretary of State William N. Evarts, were agreed however that there was a principle in issue that transcended Mr. Pinkos and whose significance in no way depended upon his physical presence in Russia. Rejecting an easy opportunity to evade a difficult and troubling issue and disregarding staff sug-

gestions that we silently absorb the affront to our Jewish citizens because the issue had become moot, Mr. Foster wrote in clear and unmistakable terms to Baron Jomini, acting Russian Minister of Foreign Affairs:

The Secretary of State instructs me to state to your excellency that in the presence of the fact that an American citizen has been ordered to leave Russia on no other ground than that he is the professor of a particular creed or the holder of certain religious views, *it becomes the duty of the Government of the United States, which impartially seeks to protect all of its citizens of whatever origin or faith, solemnly, but with all respect to the Government of His Imperial Majesty, to protest.* As this order of expulsion is understood to apply to all foreign Jews, in certain cities or localities, at least, of Russia, it is, of course, apparent that the same is not directed specially against the government of which Mr. Pinkos is a citizen, and, indeed, the long standing amity which has united the interests of Russia with those of the Government of the United States would of itself forbid a remote supposition that such might be the case. Notwithstanding this aspect of the matter *the United States could not fail to look upon the expulsion of one of its citizens from Russia, on the simple ground of his religious ideas or convictions, except as a grievance, akin to that which Russia would doubtless find in the expulsion of one of her own subjects from the United States, on the ground of his attachment to the faith of his fathers.* *Foreign Relations*, 1880, page 881, et seq. [Emphasis added]

It is significant that Mr. Foster's intercession was not inhibited or deterred by the fact that the anti-Semitism practiced by the Russian Government was universal and "not directed specially against the government of which Mr. Pinkos is a citizen." Mr. Foster was aware that the larger interests of the United States dictate forthright opposition to all religious prejudice aimed at or affecting Americans whether our citizens are made to suffer indignity and insult as part of a general campaign of hatred and bigotry or directly in their capacity as American nationals. In either case our citizens are deprived of rights this country is committed to protect, and in either case this foreign conduct constitutes an encroachment upon American freedoms that must be requited and corrected.

Exactly as Arab extremists seek to manufacture an apology for their terrorism and to justify current anti-Jewish excesses as a security measure designed to protect them from supposed Zionist violence, so did the Czarist regime strive to rationalize its anti-Semitic decrees as a protection against a supposed Jewish insurrection. To this Mr. Foster replied:

It having been intimated to the Secretary of State by this legation that the reason of this order may be found in the supposed implication of Jews in the plots formed against the life of His Imperial Majesty, the Emperor, the Secretary directs me to say that in so far as this may be true, the Government of Russia has the entire sympathy of the Government of the United States, in all just preventive efforts, and if there existed any good evidence that Mr. Pinkos has been connected with any of these attempts, the Government of the United States could not object to this expulsion on that ground. But neither the police authorities, in the several communications which the members of the consulate-general and this legation have had with them, in their efforts to obtain relief for Mr. Pinkos, nor your excellency's department, in the notes addressed to this legation on the subject, have ever intimated the existence of such a charge. Nor does the character of citizens of the United States of Jewish faith afford ground for the supposition that they would be likely to engage in conspiracies or plots against the established government of the country. From the foundation of the United States as a nation, they have been entitled to full and unrestricted privileges of citizens, and have shown themselves to be peaceable and law observing in their conduct, quiet and industrious in their habits and are esteemed a valuable portion of the community, so that *in so far as the regulation for the expulsion of foreign Jews from Russia affects American citizens, whatever may be the conduct of their co-religionists of this or other countries, it is an unjust reflection upon American Jews as a class and a discrimination which cannot be acquiesced in by my government.* *Ibid.* [Emphasis added]

When these notes were insufficient, Mr. Foster continued to press his demands with untiring vigor. In a letter to the Secretary of State on March 25, 1881, he was the first to suggest that this country base its demands for equal treatment for American Jews upon the Treaty of 1832 and employ the influence and status we enjoyed as a signatory to that Treaty as a means of enforcing our claim. (*Foreign Relations 1881*, at page 1012.) This device, in fact, became the solution finally adopted.

Mr. Foster enjoyed the support and encouragement of his superiors in the State Department. As has already been noted, Secretary Evarts first directed Mr. Foster's intervention with the Russian Government. Upon Secretary Evarts' death, his successor James G. Blaine, shortly after his appointment, unreservedly ratified Foster's strong position. He wrote Foster as follows:

"... your course appears to have been discreet, and it is hoped that you will press your representations to the successful establishment of the principle of religious toleration for our citizens

peacefully residing or traveling abroad, which we as a nation have such a deep interest in maintaining. . . .

It would be, in the judgment of this government, absolutely inadmissible that a domestic law restraining native Hebrews from residence in certain parts of the empire might operate to hinder any American citizen. . . .

I need hardly enlarge on the point that the Government of the United States concludes its treaties with foreign states for the equal protection of all classes of American citizens. It can make absolutely no discrimination between them, whatever be their origin or creed. So that they abide by the laws, at home or abroad, it must give them due protection and expect like protection for them. *Any unfriendly or discriminatory act against them on the part of a foreign power with which we are at peace would call for our earnest remonstrance, whether a treaty existed or not.*" (*Foreign Relations*, 1881, p. 1030) [Emphasis added]

The American people were no less sensitive to these deprivations based upon religious affiliation. When diplomatic intercession alone failed to correct this anti-Semitic discrimination, the issue became one for general public notice and for more direct executive and legislative action. Indeed, it became a matter of such moment that in his speech of acceptance of the Republican nomination for the Presidency in 1908, William H. Taft noted that "in some countries . . . distinctions are made in respect to the treatment of our citizens travelling abroad and having passports of our executive, based on considerations which are repugnant to the principles of our Government and civilization." He committed his party and administration "to make every endeavor to secure the solution of such distinctions which in our eyes are both needless and opprobrious." (Adler and Margalith, *With Firmness in the Right* (1946), at pages 281-282.)

On December 4, 1911, conclusively to dispose of this issue, Joint Resolution No. 166 was introduced in the House of Representatives by Representative, later Governor, William Sulzer of New York. The text of the resolution declared:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, that the people of the United States assert as a fundamental principle that the rights of its citizens shall not be impaired at home or abroad because of race or religion; that the Government of the United States concluded its treaties for the equal protection of all classes of its citizens, without regard to race or religion; *that the Government of the United States will not be a party to any treaty which discriminates, or which by one of the parties thereto is so construed as to discriminate between American*

citizens on the ground of race or religion; that the Government of Russia has violated the treaty between the United States and Russia, concluded at St. Petersburg, December eighteenth, 1832, refusing to honor American passports duly issued to American citizens, on account of race and religion; that in the judgment of the Congress the said treaty, for the reasons aforesaid, ought to be terminated at the earliest possible time; that for the aforesaid reasons the said treaty is hereby declared to be terminated and of no further force and effect from the expiration of one year after date of notification to the Government of Russia of the terms of this resolution, and that to this end the President is hereby charged with the duty of communicating such notice to the Government of Russia.

This Resolution was adopted by a vote of 300 to 1 on December 13, 1911. On December 15, 1911, Mr. Sazanoff, then Russian Foreign Minister, was notified by Secretary of State Philander C. Knox that the United States had decided to abrogate the treaty of 1832.

Although this was perhaps the most extensive action yet undertaken to protect the rights of American Jews from foreign anti-Semitism it met with immediate and widespread popular approval. Thus, the Republican National Convention of 1912 adopted a plank declaring:

We approve the action taken by the President and Congress to secure with Russia, as with other countries, a treaty that will recognize the absolute right of expatriation, and that will prevent all discrimination of whatever kind between American citizens, whether native born or alien, and regardless of race, religion, or previous political allegiance. The right of asylum is a precious possession of the people of the United States, and it is to be neither surrendered nor restricted. *American Jewish Year Book*, 1913-1914, page 442.

Almost identical planks were adopted the same year by the Democratic and Progressive Party Conventions. The American people have consistently abjured any suggestion, whether by internal decree or foreign treaty, that there can be class distinctions among American citizens or that there are varying degrees of protection to which our citizens are entitled.

B. Switzerland

One of the earlier intercessions of this government on behalf of American Jews abroad perhaps illustrates better than any other the personal zeal with which American statesmen have endeavored to combat foreign anti-Semitism.

In 1853, Theodore S. Fay, then United States Minister to Switzer-

land, was advised that Swiss cantons were denying visiting rights to American Jews. The Swiss Federal Council was willing to interpret liberally the treaty of 1850 between the United States and Switzerland and to extend to American Jews the same rights and privileges granted American Christians. Some of the cantons, however, persisted in their discrimination and refused to permit American Jews to establish themselves within their jurisdiction.

Mr. Fay became absorbed in the whole problem of anti-Jewish prejudices and made a detailed study of the condition of the Jews in Switzerland and neighboring countries, inquiring even into matters ranging far beyond those affecting American Jews. The Secretary of State encouraged Mr. Fay in this inquiry and notified him that the removal of oppressive restrictions upon the Jewish community was "a matter which the President (Buchanan) has much at heart." (See Executive Document No. 76, House of Representatives, 36th Congress, 1st Session, page 22.)

As a result of his extensive inquiry and investigation, Fay wrote the famous "Israelite Note," which he circulated among the respective cantons. The then President of the Swiss Confederation, Dr. Furrer, wrote that as a result of Fay's note "an immense majority of the Council of Zurich is disposed to change the legislation respecting the Israelites in the interest of amity and progress." (Ibid., page 77.) Many other cantons followed and gradually, one after another, removed all restrictions against the Jews. Thus, because of his personal concern over the oppression of religious minorities, an American Minister in Switzerland was able to play a decisive and crucial role in amending the Swiss constitutional system to eliminate all Swiss discrimination because of race and religion and, almost singlehandedly, was instrumental in restoring to American Jews the right to travel throughout that part of Europe without restraint or inhibition.

C. Other Countries

Our deep attachment to the concept of religious freedom has motivated our government to urge intercession even in instances of religious suppression and persecution that did not directly affect citizens of the protesting states and even if such protest entailed direct criticism of the internal legislation of other states, a matter not ordinarily within the purview of any foreign power. Thus in the very first representation relating to Jews made by the United States to any foreign state, Secretary of State John Forsyth at the direction of President Van Buren, in 1840 in a dispatch to the American

Consul at Alexandria, Egypt urged intervention in behalf of Damascus Jews who had been accused of murder.

Since that time the diplomatic record is studded with instances of genuinely altruistic intervention by American officials on behalf of persecuted Jewish populations abroad. See the account of protests made by the United States Government because of local anti-Jewish persecution in Morocco in 1863 (Adler and Margalith, *With Firmness in the Right* (1946), at 11); in Persia in 1897 (*ibid.*, at 16); in Syria and Palestine in 1915 (*ibid.*, at 65); in Italy in 1938 (*ibid.*, at 386); in North Africa in 1942 (*ibid.*, at 410); and in Argentina in 1943 (*ibid.*, at 430). This is not even to mention the strenuous protest made through every available diplomatic medium against the atrocities of Nazi Germany. Indeed, the sense of revulsion against the barbarities of the Nazis and their attempt to import racial doctrines into the United States was one of America's moral armaments in the days of President Franklin D. Roosevelt. *Ibid.*, at page 348 *et. seq.*

This brief review of American diplomatic practice indicates a continuing course of conduct by American foreign officers extending over one hundred years to protest religious persecution by foreign states adversely affecting American citizens.

It is therefore both disappointing and disturbing that Secretary Dulles' recent testimony intimates that the United States in effect has acquiesced and yielded to the demands of current Arab anti-Jewish aggression, even to the point of sacrificing some of the protection legally due its citizens. We do not believe it an adequate justification that this retreat has been undertaken in the hope of finding a way in which the Arab countries and the United States may live together in a manner which presumably is to their mutual advantage. We do not believe that the American people will concur in this bargain or will endorse or accept any diplomatic approach that requires the United States to hold the rights of its citizens less dear than did our predecessors. We are convinced that the only reason this position could ever have been suggested is that the full measure of American concessions required to meet the demands of Arab bigotry has not been completely understood. It is in the hope of correcting this general lack of information that this paper has been compiled. We are convinced that once the facts are fully and publicly stated, the people of this country and those who have been appointed to guide its foreign relations will be in a better position to assess and evaluate those factors that must dictate our future conduct if the freedoms of all our citizens are to be assured.

II. Current Arab Anti-Jewish Practices

The discriminatory actions practiced by the Arab countries under the direction of the Arab League fall into three categories: A. The denial of entry or transit visas to American Jews; B. The commercial boycott of American Jewish businesses. C. The establishment and subvention of large-scale Arab propaganda centers to disseminate anti-Semitic literature in the United States. Each of these three practices is discussed below.

A. Denial of Entry or Transit Visas to American Jews

In recent years various Arab countries including Lebanon, Syria, Jordan and Saudi Arabia have sought to extend and promote their programs of domestic anti-Semitism by promulgating a rule flatly prohibiting the issuance of entry permits and travel visas to American citizens who are Jews. This discrimination extends to government officials and to members of the United States armed forces. A number of invidious consequences have flowed from this Arab policy: American state laws against discrimination in employment have been openly and repeatedly flouted, and recruiting for employment, even on defense contracts paid for by American taxpayers, has been conducted on a discriminatory basis because of Arab refusal to admit American Jewish workers. Thus, Arab bigotry has already forced its way across our own borders and infected our own domestic practices.

(1) Restrictions against Military Personnel

On May 20, 1955 a chaplain serving in the United States Air Force wrote Senator Herbert H. Lehman:

United States Air Forces Europe (USAFE) Manual 30-1, dated June, 1953, deals with "Clearance & Documentations for Leave & Duty Travel" for members of the United States Air Force. In Section XXVI, paragraph 3rd, we read: "Individuals of Jewish faith or descent are strictly barred entrance to or transit of Saudi Arabia. Further, any passport containing an Israeli visa will not be honored.

In Section XIII, paragraph 3c, we read: Individuals of the Hebrew Race will not be issued visas or admitted to Jordan.

By restricting the travels of a Jewish serviceman on military aircraft, the Military Air Transport Service (MATS), a lawful

agency of the government of the United States of America, subjects itself to the bigoted religious doctrines of a foreign power.

This letter elicited the following reply on June 20, 1955 from Harold E. Talbott, then Secretary of the Air Force, to whom it was forwarded by Senator Lehman:

The countries of Saudi Arabia and Jordan for purposes of internal security will not issue a visa for persons of the Hebrew race. This restriction is not only applicable to American citizens, but applies to Jewish people of all nations. Further, Arabic countries, specifically Saudi Arabia and Jordan, will not issue a visa to any person regardless of race, if the passport of the individual is stamped with any marking which would indicate that the traveler had visited Israel prior to the application for entrance into Saudi Arabia and Jordan.

These restrictions are promulgated and enforced by the Arabic countries and are not within the prerogative of the State Department or the military to change.

The only exception to the above procedures is when the traveler receives special permission from the Arabic Government concerned to enter that country.

Senator Lehman wrote to Mr. Talbott on July 12, 1955:

I have your letter of June 20th. I am aware of the practice of the Governments of Saudi Arabia and Jordan in barring entrance to persons of Jewish faith. I had hoped, however, that the appropriate departments of the United States Government would work ceaselessly against any such regulation insofar as it affects American citizens. I was especially shocked to know that American G.I.'s who happen to be of the Jewish faith are likewise discriminated against. I hoped that far from simply taking cognizance of the matter, the Air Force would use its influence to the extent possible to see that this discrimination was not practiced against Americans who were serving their country in the Air Force.

Secretary Talbott's answer, dated July 20, 1955, exhibits an odd lack of concern:

The Air Force is cognizant of the situation concerning restriction of travel to members of the Jewish faith to Saudi Arabia and Jordan. However, it must be recognized that we are dealing with a tradition of long standing, and in all probabilities, will take much effort and time on the part of all Governmental agencies, including the Air Force, to try and work out a satisfactory solution with the countries concerned. The Air Force together with Governmental agencies, has worked ceaselessly to abrogate regulations of this nature put into effect by foreign governments which affect American citizens. Unfortunately, as

indicated in my previous letter, these restrictions or regulations are promulgated and enforced by foreign countries and are not within the prerogative of the Air Force to change.

When, on February 24 of this year Secretary Dulles was specifically asked by members of the Foreign Relations Committee whether, pursuant to the terms of the Mutual Security Agreement between this country and Saudi Arabia, American army personnel of the Jewish faith were not permitted to be stationed at the Dhahran Air Base, the Secretary replied, "It may be." We question Mr. Dulles' apparent belief that his further statement "over a long period of years there has been a prohibition on Jews in Saudi Arabia" can be a sufficient explanation for this government's tolerance of foreign disqualification of American military personnel because of their religious beliefs.

We submit that continued collaboration in the exclusion of Jewish servicemen invites manifold invasion of the rights of American citizenship. If we accept the principle that foreign states are to be permitted to pass upon the religious qualification of any American in military service stationed abroad, reaching down even to the level of private soldier, then we necessarily become party to the negation of the constitutional concept of religious freedom and religious privacy. We should then be required to screen and survey the religious convictions of prospective public officials who may otherwise be fully competent and qualified. We would then be able to employ as our representatives abroad, whether as ambassador, technician, soldier, or clerk, only those whose religious beliefs correspond favorably to those of some foreign ruler. In contravention of express constitutional prohibitions, we should inevitably be obliged to impose a religious test for public office. The logical extension of this approach would require, obviously, that any emissary of this country sent, for example, to communist countries should be required to pass communist tests of non-religious fitness. The absurdity and inequity of this practice seems patent.

That the First Amendment to the United States Constitution obligates this country to refrain from entering into any treaty or agreement that might serve as an instrument for discriminating against any group of American citizens by limiting their right freely to travel abroad because of their religious convictions, was plainly stated by Clifton R. Breckinridge, American Minister to St. Petersburg in 1895 in a note to the Russian Minister of Foreign Affairs. Replying to a Russian contention that the American Constitution could not apply to Russian domestic legislation and therefore

could not be invoked to interfere with treaty arrangements between the two states, the American Minister declared:

Our Constitution does not say that Congress shall not make a law simply "prohibiting" or "authorizing" a religious exercise or belief, as your excellency seems to understand.

It says that "Congress shall make no law respecting an establishment of religion, nor prohibiting the free exercise thereof." Certainly if a law deprives any people or persons of a certain faith, because of that faith, of all or of any part of the rights, privileges, and immunities enjoyed by any other citizen, or class of citizens, it is made "respecting" that religion, and it militates against the "free exercise thereof" as much so as if the sect had been mentioned in the title of the act and the consequences had been named as pains and penalties for the conscientious belief and observances entertained and practiced. (*Foreign Relations*, 1895, page 1066).

We suggest that a proper attitude, one consonant with the requirements of our constitution and with our own national temper, is reflected in the action of the United States in the one prior time in its history when one of its representatives was found unacceptable by a foreign country because of admittedly religious factors.

a) The Keiley Precedent

In May, 1885, President Grover Cleveland appointed Mr. Anthony M. Keiley of Virginia, envoy extraordinary and minister plenipotentiary of the United States at Vienna. The United States was informed however that Mr. Keiley would be unacceptable to the Austrian Government because "the position of a foreign envoy wedded to a Jewess by civil marriage would be untenable and even impossible in Vienna." (*Foreign Relations*, 1885, page 48.)

Secretary of State Bayard replied in unmistakable language:

The supreme law of this land expressly declares that "no religious test shall ever be required as a qualification to any office or public trust under the United States," and by the same authority it is declared that "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof."

* * *

It is not within the power of the President nor of the Congress, nor of any judicial tribunal in the United States, to take or even hear testimony, or in any mode to inquire into or decide upon the religious belief of any official, and *the proposition to allow this to be done by any foreign Government is necessarily and a fortiori inadmissible.*

To suffer an infraction of this essential principle would lead

to a disfranchisement of our citizens because of their religious belief, and thus impair or destroy the most important end which our constitution of Government was intended to secure.

* * *

The case we are now considering is that of an envoy of the United States, unquestionably fitted, morally and intellectually, and who has been duly accredited to a friendly Government, towards which he is thoroughly well affected; who in accordance with the laws of this country, has long since contracted and has maintained an honorable marriage, and whose presence near the foreign Government in question is objected to by its agents on the sole ground that his wedded wife is alleged to entertain a religious faith which is held by very many of the most honored and valued citizens of the United States.

It is not believed by the President that a doctrine and practice so destructive of religious liberty and freedom of conscience, so devoid of catholicity, and so opposed to the spirit of the age in which we live can for a moment be accepted by the great family of civilized nations or be allowed to control their diplomatic intercourse.

Certain it is, it will never, in my belief, be accepted by the people of the United States, nor by any administration which represents their sentiments. (*Foreign Relations*, 1885, page 48.)

The Austrian government thereupon changed the ground of its opposition to a supposed "want of political tact evinced on his (Mr. Keiley's) part on a former occasion, in consequence of which a friendly power declined to receive him; and upon the certainty that his domestic relations preclude that reception of him by Vienna society, which we judge desirable for the representatives of the United States with which power we wish to continue the friendly relations existing between the two Governments." (*Foreign Relations*, 1885, page 55.)

This country, however, was not deceived by these representations and refused to appoint an envoy in Mr. Keiley's stead. The position of this government was that the acts of Austria and her ministers in this case would require this country to agree to permit Austria to reserve for herself the right to prescribe a religious test for office in the United States and that this could never be found acceptable by the people of this country. In his annual message to Congress, December 8, 1885, President Cleveland reviewed the entire case:

Question has arisen with the Government of Austria-Hungary touching the representation of the United States at Vienna. Having, under my constitutional prerogative, appointed an estimable citizen of unimpeachable probity and competence as minister at that court, the Government of Austria-Hungary invited this Government to take cognizance of certain exceptions,

based upon allegations against the personal acceptability of Mr. Keiley, the appointed envoy, asking that in view thereof, the appointment should be withdrawn. The reasons advanced were such as could not be acquiesced in, without violation of my oath of office and the precepts of the Constitution, since they necessarily involved a limitation in favor of a foreign government upon the right of selection by the Executive, and required such an application of a religious test as a qualification for office under the United States as would have resulted in the practical disfranchisement of a large class of our citizens and the abandonment of a vital principle in our Government. The Austro-Hungarian Government finally decided not to receive Mr. Keiley as the envoy of the United States, and that gentleman has since resigned his commission, leaving the post vacant. I have made no new nomination, and the interests of this Government in Vienna are now in the care of the secretary of legation, acting as charge d'affaires *ad interim*. (*Foreign Relations*, 1885, page iv.)

b) The Government Plea of Non-Interference

Unquestionably the qualification of an ambassadorial appointee depends in considerable measure upon his standing in the country in which he is designated to serve. It is not diplomatic custom for any state to impose an unwelcome envoy upon another. The grant of diplomatic standing normally is regarded as the exclusive prerogative of the host state. This country nevertheless felt that the exercise of religious prejudice in the Keiley case was a matter of sufficient importance to override all considerations of diplomatic practice. How much greater an affront is it, therefore, for the Arab states to dictate to our armed forces with respect to the religious affiliations of our military personnel ordered to serve in our defense installations in Arab lands. The religious beliefs of members of the armed forces of the United States can be no business of the Arab countries and it is a gross invasion of the constitutional guarantees of religious freedom for any agency of this government to agree to the exclusion of Jewish servicemen, or indeed Jewish public officials of any rank, from acting on behalf of their country anywhere in the world.

It is plainly no argument to allege, as Secretary Talbott alleges, that since these restrictions on the entry of Jewish military personnel are enforced by the Arab countries they are "not within the prerogative of the State Department or the military to change." Matters that impinge so directly upon the welfare and liberty of American citizens cannot thus be so immunized from American intervention. It should be remembered that upon proper occasion the United States has not been unwilling to instruct its diplomatic emissaries abroad

to take action with respect to matters that entail criticism of the internal activities of another state, something that is not within the ordinary purview of normal diplomatic conduct. Thus, on November 22, 1881, in seeking to persuade Great Britain to join in protest against Russian anti-Semitic discrimination, Secretary of State Blaine wrote James Russell, then United States Minister at London:

"I am well aware that the domestic enactments of a state toward its own subjects is not generally regarded as a fit matter for the intervention of another independent power. But when such enactments directly affect the liberty and property of foreigners who resort to a country under the supposed guarantee of treaties framed for the most liberal ends, when the conscience of an alien owing no allegiance whatever to the local sovereignty, is brought under the harsh yoke of bigotry or prejudice which bows the necks of the natives, and when enlightened appeals made to humanity, to the principles of just reciprocity and to the advancing spirit of the age, in behalf of tolerance, are met with intimations of a purpose to still further burden the unhappy sufferers and so to necessarily increase the disability of foreigners of like creed . . . it becomes in a high sense a moral duty to our citizens and to the doctrines of religious freedom we so strongly uphold, to seek proper protection for those citizens and tolerance for their creed, in foreign lands, even at the risk of criticism of the municipal laws of other states." Kohler, *The United States and German Jewish Prosecutions*, pp. 40-41.

It always will remain possible to search out reasons for not acting but the present prim and circumspect regard for every legalism that might justify American indifference must be contrasted with the attitude of former Secretary of State William N. Evarts. He did not hesitate to employ the power of his high office to instruct an American consul in Morocco that while intervention by this country in behalf of Jews who are Moorish subjects ordinarily might be considered improper, "Still, there might be cases in which humanity would dictate a disregard of technicalities, if your influence would shield Hebrews from oppression." Letters of Secretary Evarts, March 20, 1878, quoted in J. B. Moore, *American Diplomacy* (1905), page 349. We are forced to conclude that American diplomatic intervention against the Arab states is more likely deterred by lack of will than by lack of legal warrant.

(2) Restrictions Upon Private Travel

In the face of this official indifference toward limitations imposed upon the right to travel of military and government personnel, it is hardly surprising that travel restrictions against American Jews

who are merely private citizens should continue with almost no comment. The Passport Division of the Department of State expressly informs applicants for passports that persons of Jewish faith will be denied the right to visit Arab lands.. Information supplied to passengers departing America aboard ships of the American Export Lines, which during cruises touch ports in Arab countries, declares that persons of Jewish faith or Jewish name (*sic*) will be denied certain cruise travel privileges in Arab countries freely available to other passengers. Airlines regularly traveling to Arab countries contain notations in their schedules indicating that Jewish passengers will not be allowed to disembark at Arab ports of entry.

This regular withholding of travel privileges by Arab officials in this country from American citizens of Jewish faith is demeaning and introduces a discordant and dissonant note in a free community. Thus, in 1895 Acting Secretary of State Alvey A. Adee reminded the American Minister at St. Petersburg that the refusal of Russian consuls to grant visas to American Jews was of continuing concern to this country if only because of the impact and effect of this practice within our own borders. Mr. Adee wrote:

Apart from the constitutional objections to the discrimination made by Russian consular officers against American Jews, this Government can never consent that a class embracing many of its most honored and valuable citizens shall within its territory be subjected to invidious and disparaging distinctions of the character implied in refusing to visé their passports. For, notwithstanding Prince Lobanow's suggestion that his Government's consular regulation upon the subject under consideration does not apply to all Israelites and therefore cannot be regarded as a discrimination against them on religious grounds, the fact remains that the interrogatories propounded to applicants for the consular visé relate to religious faith, and upon the response depends the consul's actions.

Viewed in the light of an invidious discrimination tending to discredit and humiliate American Jews in the eyes of their fellow citizens, it is plain that the action of Russian consular officers does produce its effect within American territory, and not exclusively in Russian jurisdiction. [Emphasis added] (Foreign Relations, 1895, page 1067.)

The denial of visas to Jews by Arab countries, moreover, frequently has a more serious consequence than the mere withholding of travel for pleasure. Arab anti-Semitism has been made the occasion and excuse for anti-Jewish discrimination in hiring practices in this country, in direct contravention of the purpose and policy of state fair employment practices legislation.

a) SCAD and Private Employment

In 1950 a help-wanted advertisement inserted by a private employment agency in New York City newspapers sought welders for foreign service. When applicants for these positions were interrogated about their religious beliefs, a complaint was filed with the New York State Commission Against Discrimination charging that these inquiries constituted an unlawful employment practice.

The State Commission reported:

Investigation disclosed that the welders were being recruited by a sub-contractor of the Arabian American Oil Company for work on a pipe line in one of the Arabian countries, and that a visa from the Arabian government was a prerequisite to employment.

The investigating commissioner was informed by the Arabian American Oil Company that the Arabian government does not issue visas to persons of the Jewish faith. *The company advised that it had an understanding with the Arabian government to screen all prospective employees for work in Arabia before they applied for Arabian visas, for the purpose of excluding persons of the Jewish faith to whom visas will not be granted.* The respondent urged the Commission not to take any action which would jeopardize this agreement in view of considerations important to the international interests and security of the United States.

Pursuant to Commission policy to seek confirmation of the facts upon which the existence of a bona fide occupational qualification is predicated, the investigating commissioner communicated with the United States Department of State. He was advised by the Political Adviser for the Office of African and Near East Affairs that as a result of the recent conflict between the Arabian countries and Israel, the Arabian governments refuse to grant visas to persons of the Jewish faith for work in any of the Arabian countries. *This representative of the Department of State stressed the importance of not having anything interfere with the existing relationship between the Arabian government and the Arabian American Oil Co., explaining that this relationship was the basis for the harmony between this government and the Arabian government and should it be disturbed in any way the international interests of the United States would be seriously affected.* (Report of Progress, 1950, New York State Commission Against Discrimination, pp. 47-48.) [Emphasis added]

As a result of State Department intervention, the New York State Commission Against Discrimination found these employment practices not violative of state law. Two factors are worthy of note in this report. First, it is indicative of the contagious effect of religious bigotry that an American employer in New York should enter into

an understanding with Arabian governments to screen American citizens who are candidates for employment "for the purpose of excluding persons of the Jewish faith." Thus, in direct contradiction of the intention and purpose of existing state fair employment practices legislation American employers are induced and even compelled to undertake religious inquiries and to fix religious standards as a qualification in hiring practices.

Secondly, it is shocking that a "representative of the Department of State (should have) stressed the importance of not having anything interfere with the existing relationship between the Arab government and the Arabian American Oil Company." It should be remembered that the "anything" that might in this case have disturbed this relationship would have been a demand for the full and equal protection of the rights of American citizens. It is bad statesmanship as well as bad principle that our traditional concept of equal protection should be abandoned for the purpose of furthering certain commercial transactions, whether they be with the Arabian American Oil Company or with anyone else. It is not true that the American people are willing to maintain contractual arrangements for international exchange of commodities, whatever they may be, when such arrangements are made contingent upon implementing in our own community the religious or racial hatreds and prejudices of foreign governments. Private deals can not be sanctioned when they are made at the cost of national ideals.

b) Defense Contracts Abroad

It is even more disturbing that Arab anti-Semitism has been made the occasion for the practice of religious discrimination by United States army contractors engaged in defense projects, projects paid for by all the American people. The New York Times of February 2, 1952 reported that Major General G. J. Nold, Deputy Chief of Engineers, U. S. Army, testified before a Senate Subcommittee that New York workers were not recruited by Army contractors for building military bases in Arab countries because the contractors believed a large number of New York applicants would be of Jewish origin and, if hired, would be resented by the Arabs and possibly be in personal danger. It is not surprising that this is precisely the argument advanced by Russian Foreign Minister Prince Lobanow in 1895 to justify his government's refusal to visé the passports of American Jews, explaining that his country's attitude was essentially philanthropic, serving to warn American Jews while they were still in the United States and thus save them from "difficulties and dangers which they would encounter later if they had not been

advised." Adler and Margalith, *op. cit. supra*, at 250. In any event, either forgetful of SCAD's prior ruling or uncertain whether the Army would be granted the same special license to discriminate previously accorded the Arabian American Oil Company, the New York State Employment Service had informed the air base contractors that they must operate in conformity with the State Law Against Discrimination in employment and could not screen out Jewish applicants for the jobs. General Nold testified that the contractors thereafter simply avoided the New York labor market and recruited their entire work force in the middlewest.

In response to an inquiry by the Chairman of the New York State Commission Against Discrimination, the then Secretary of the Army, Frank Pace, Jr. on March 3, 1952 wrote:

The charge that the Army has refused to recruit workers from New York for construction work in Arab countries because New York law prohibits discrimination in the hiring of workers has resulted from the recent testimony of the Deputy Chief of Engineers before the Senate Preparedness Subcommittee. The Deputy Chief of Engineers there testified that a problem existed in recruiting people of the Jewish faith for work in Arab countries. Insofar as this testimony indicated that there were problems in recruiting Jewish workers for every country having an Arab population, the statements of the Deputy Chief of Engineers were broader than the facts justified. Although his testimony was not so limited, actually the Deputy Chief of Engineers was cognizant of the recruitment problem with respect to the country of Saudi Arabia. The situation there, however, is not one caused by Corps of Engineers contractors. These contractors have not discriminated against qualified Jewish workers for Saudi Arabian projects. They are willing to recruit workers of this faith; however, these *workers are unable to obtain the required visas from Saudi Arabia.* [Emphasis added]

This comment by Secretary Pace is characteristic of official nonchalance and indifference to this problem. It reflects the too frequently held view that mere reference to Arab anti-Semitism is all that is necessary to condone American collaboration in discriminatory acts. During the course of his letter to the Chairman of the State Commission, the Secretary claimed that contractors recruiting workers in the United States for military construction in North Africa by and large conform to the policies laid down by President Truman barring discrimination based on race, creed, color and national origin; but he also admitted, somewhat coolly, that contractors do, in fact, discriminate against workers of Jewish faith in recruiting for military construction in Saudi Arabia. Government agencies as well as individual contractors usually disclaim any discriminatory

intent, even loudly assert that exclusion of Jewish employees is contrary to their own wishes and forced upon them because Jews are refused visas for entry into Saudi Arabia. But the net result is no less an instance of discrimination in government contracts, in clear, open and undeniable violation of standing Executive Orders.

c) State Department Passivity

More is required of the State and Defense Departments than mere passive recognition of existing facts. Regrettably, Secretary of State Dulles, like his associates, appears largely undisturbed by the Arab policy of discrimination against American Jews. During his testimony on February 24, 1956 before the Senate Foreign Relations Committee in response to a question relating to our endorsement of discrimination against American Jewish businessmen, Secretary Dulles found it appropriate to refer to the religious requirements of Moslem law and to indulge in analogies concerning Moslem dietary customs. The general temper of Secretary Dulles' reply may perhaps be evident in his concluding comments that the Arabs "have some practices which we may think curious. . . . We, perforce, accommodate ourselves to certain practices they have which we do not like; they, perhaps, accommodate themselves to certain of our idiosyncrasies which they do not like, but on the whole, they have a pretty arbitrary rule largely dictated by the strict tenets of the Moslem faith."

It ordinarily might be supposed that the practice of religious discrimination against American nationals is not a mere "curious practice" to be likened to exotic dietary habits, nor would it ordinarily be thought properly comparable by an American Secretary of State to folk "idiosyncrasies" of our own to which the Arabs might conceivably object. At issue are national policies that impose serious penalties upon many American citizens and these cannot lightly be dismissed as quaint, almost charming, eccentricities which we need not trouble to regard seriously.

The occasional objections made by the State Department to this practice of religious discrimination thus far have been palpably inadequate. For all of its perfunctory assurances, the State Department has never indicated the precise nature of its protests or whether those protests when conveyed were pursued with vigor and persistence. Nor has Secretary Dulles, or any other Department spokesman, ever suggested any further course of conduct should our protests, as seems inevitable at present, continue to go unheeded.

The right to travel and to go abroad is a right much treasured and desired, and if the Arab states were suddenly to close their

doors to all Americans we should unquestionably deem it to be an affront and unfriendly act. We can properly be no less affronted when the Arab countries single out one group of Americans to whom they bar their borders solely because of religious affiliation. And it becomes doubly unconscionable when this practice, abetted by American participation, becomes the prelude and apology for imposing economic penalties against American Jewish citizens.

It would seem, at the very least, that if any American citizens are barred from entry to any Arab states for religious reasons, this government, with the exception of necessary and authorized diplomatic personnel, should prohibit all citizens from Arab countries from entry here. There is ample precedent for such a move. Section 243(g)(7) of the McCarran-Walter Immigration and Nationality Act of 1952 authorizes this country to refuse any further immigration from those states who are unwilling to accept return of their nationals who are deported from the United States. Surely the crude religious discrimination practiced by the Arab countries is at least as significant a cause for invoking this reciprocal prohibition. There is no tenable reason for the United States to continue to receive immigration from countries who capriciously and arbitrarily deny an equivalent right to a considerable section of our own citizens. It is a well established principle that no foreign government can with impunity discriminate between one American passport and another. That principle needs now to be implemented.

III. Boycott of American Jewish Businesses

It is generally conceded that pursuant to a directive of the Arab League there is at present an Arab boycott of businesses throughout the world that have representatives or branches in Israel or that maintain commercial relations with Israeli firms, however small these transactions may be. This is evidenced by a recent statement by the Iraqi Consul in New York, General A. K. Gailani asserting that:

Our policy is that all firms, be they Christian, Jew or Moslem, are not allowed to do business with the Arab countries if they have a subsidiary or branch in Israel. This was a decision of the Arab League, not of Iraq alone, and the reason is that Israel is at war with the Arab countries. (New York Post, February 3, 1956.)

An article recently appearing in the Foreign Commerce Weekly,

published by the United States Department of Commerce, further confirms this fact:

Member states of the Arab League have agreed to take the following actions in implementation of their boycott against countries having relations with both Israel and the Arab countries, the Iraq government has informed diplomatic missions in Baghdad.

Imports of products from foreign countries will be banned if the companies have branches or assembly plants in Israel; if their general agents or regional offices in the Mid-East are located in Israel; or if Israeli companies are granted the privilege of using trade names.

Foreign companies, bodies and establishments, both public and private, having shares in Israeli firms or plants will be prohibited from carrying out business in the Arab countries.

Regularly scheduled foreign steamships passing through Arab ports on both-way trips will not be allowed to anchor in an Israeli port on either journey. Exceptions are world tourist steamships, provided the Arab states through which they are to pass are notified in advance of their names and the dates of departure — Embassy Baghdad. *Foreign Commerce Weekly*, vol. 51, #1, January 4, 1956.

There is irrefutable evidence, moreover, that this anti-Israel boycott has now been expanded into a blacklisting of all businesses throughout the world, whether or not they have branches in Israel, that are owned by Jews, employ Jews or even subscribe to Jewish philanthropic activities. According to the Economic Bulletin of the Arab League (Cairo), there are now 162 Jewish firms on the blacklist: 45 are British, 44 American, 23 French, 14 Swiss; 11 are in Argentina, 10 in Canada, 8 in Belgium, 6 in Holland and 1 in Australia. Despite the occasional camouflages that have been attempted, the character of this economic reprisal is now sufficiently clear as to leave no doubt whatever as to its anti-Semitic purposes.

The boycott is conducted by cooperation of a number of the member states of the Arab League. The Saudi Arabian Government has been the most active and consistent in this connection in the United States although other Arab states have also participated with increasing frequency.

A. Saudi Arabian Boycott

The American Jewish Congress has in its possession correspondence from Arab firms located in Saudi Arabia, cancelling contracts with American Jewish businesses because of a directive promulgated by the Saudi Arabian Chamber of Commerce, but unquestionably inspired by the Saudi Arabian Government, instructing Saudi

Arabian firms to discontinue all relations with businesses abroad owned or controlled by Jews or that employ Jews. These letters state that any contract negotiated in violation of this directive will be subject to summary cancellation and that any merchandise imported into Saudi Arabia from firms employing Jews abroad will run the risk of confiscation. The Saudi Arabian government evidently requires its domestic import companies to obtain affirmative and positive assurances that their business associates abroad are free of all Jewish connections.

The claim has been adduced by representatives of the State Department among others that this boycott is not by any official agency in Saudi Arabia but only by private individuals. This contention must be weighed against the undisputed fact that Saudi Arabia is an absolute despotism without any semblance of representative government. It is unthinkable that any influential agency in that country could issue policy directives without the prior knowledge and approval of responsible officials. Moreover, no body other than the government itself would possess authority to confiscate incoming shipments. The government of Saudi Arabia has plenary authority to impose conditions on international transactions and it must be concluded that, despite the nominal denials glibly issued by their spokesmen and consular representatives in the United States, Saudi Arabian government officials themselves have stipulated and directed the anti-Jewish restrictions now invoked.

The nature of the discrimination is clearly reflected in the following excerpts from letters in our files received by American firms owned by Jews from their Saudi Arabian customers. The names of the recipients and senders of these letters are not here disclosed in order not to disturb other commercial relations these firms may have. Photostatic copies of the letters, however, are in AJCongress' possession.

January 3, 1952 —

"We very much regret to inform you that our Government has duly published a notice announcing that *any Importers of Saudi Arabia must not be permitted to import the goods, any kind of goods, from any Jewish Firms of the World.*

Further, they have listed your name as being your firm is Jewish firm, as these steps are taken suddenly against you, we are obliged to cable you to stop the shipments of our orders, until we write you.

However, we are obliged to ask you to let us have full particulars as to what faith your firm is belong, to Jewish or Christian? And until we have full particulars from you we are obliged to stop our business with you."

October 1, 1953 —

"... In connection with our request for not effecting the *shipment of our order by any steamer which belongs to any Jewish steamship company*. This is in compliance of our Government's regulation announced recently, further this ordinance warns that any shipment by such steamers will not be allowed to enter Saudi Arabia."

September 17, 1953 —

"... We have also to inform you that you are well aware *we are quite prohibited to import any goods manufactured in any Jew factories*. Now our government has issued a new regulation warning all the importers that no goods may be brought by the steamers belonging to Jew Steamship Co. You are kindly requested to take this matter into consideration in order to avoid any sort of trouble arising by doing so."

September 22, 1953 —

"We hope that you have not shipped our order by now. We append the text of notification from our local government, for your kind information and perusal. Merchant or merchants established in Saudi Arabia intended to import goods from foreign countries should know that *it is forbidden to deal with a Jewish company* or with a company whose any of its workmen is Jewish or has branch in Israel, and if a merchant intended to deal with a company and knows that the same company is not Jewish, should also be asked to submit a letter of certificate issued by the Chamber of Commerce certifying that neither of its workman is Jewish nor has branch in Israel. Therefore, we will request you to furnish us with a certificate issued by your local Chamber of Commerce to that effect."

November 27, 1955 —

"We refer to your letter dated 8th March 1955 addressed to our Associates from which we gather that you are desirous to establish business relations in Saudi Arabia.

It may also be noted that according to Saudi Arabian government's regulation all invoices for the goods supplied, must be legalised by Saudi Legation of your side. *We are strictly prohibited to deal with jew firms* and therefore it will be appreciated if you can furnish us with a certificate duly legalised by the Saudi Legation stating that your firm is not Jews firm, otherwise we regret we shall not be able to enter into business with you."

January 7, 1956 —

“With reference to your letter No. IW:ek of the November 21, 1955, we have to inform you that you will have to get the original *certificate attested and certified by the Saudi Arabian Consulate in your country to the effect that firm which exports the machine is not a Jewish firm*, without which we can not have dealings with your firm.” [Emphasis added]

One of the recipients of the letters quoted above regularly exports wheat, flour, rice and textiles to Saudi Arabia and prior to the boycott his business in that country amounted to about two million dollars a year. No United States export license is required for shipment of these materials but under the terms of the International Wheat Agreement to which both the United States and Saudi Arabia are subject, the United States pays seventy cents for each bushel of wheat shipped as a subsidy to American exporters. The effect of this boycott therefore is that the United States Government may make grants to non-Jewish firms shipping wheat to Saudi Arabia, but because of American submission to Arab demands Jewish firms are excluded from comparable benefits.

The discontinuance of contracts by Saudi Arabia importers reflects not only an effort on the part of the Saudi Arabian Government to regulate the conditions of its internal economy, but to reach out far beyond its own borders to boycott what it regards as Jewish enterprise. American Jewish businessmen are flatly excluded from competition for a large segment of international trade. Certainly to the extent that funds used to subsidize this trade derive from tax payments and other contributions on the part of all the people of this country, it would appear intolerable for any American national to be barred from participation because of religious considerations.

B. Boycotts By Other Arab Countries

Although the boycott carried out by Saudi Arabia has received the greatest attention in this country there are clear indications that other members of the Arab League have carried on an identical policy of barring Jews from international trade. The following excerpts from a letter to the Chairman of the Board of Directors of Verkoopkantoor Van der Heem N. V., The Hague, Holland, on November 13, 1955 indicates the firm intention of all members of the Arab League to make the boycott of Jews universal:

As you are aware the Arab countries are in a state of war with Israel and for this reason we are making an economical siege

around that Israel. This siege is administered by a special control and investigation office with members of all the Arab states.

An officer in said office visited us today and requested that following information be supplied about your company:

* * *

5. Do you have any Jewish employees in your company, if yes how many and what are the positions held by them.
6. Are there any Jews in your Board of Directors as members.
7. Is any of your managers or branch managers a jew, if yes please give name of the department headed by such a man.
8. Is any of the persons authorized to sign on behalf of your company a jew.
9. What is the number of Jewish laborers in your factories and offices.

In a letter quoted below from Assistant Secretary of the State in 1953, the State Department acknowledged that there has been from time to time a blacklisting of American Jewish firms by the Lebanese Government. American newspapers report similar experiences by American Jewish businesses throughout the world in dealing with member states of the Arab League (N. Y. Herald Tribune, Feb. 12, 1956). The boycott now suffered by American Jewish firms is a vital part of the international plan of the Arab League to deny Jewish businesses access to principal markets.

C. The Reluctant State Department

This matter was first brought to the attention of the State Department in 1952 when reports of this practice were first received by the American Jewish Congress. The issue presumably was satisfactorily concluded, in May, 1952 when in a letter to Senator Lehman, Jack K. McFall, Assistant Secretary of the Department of State, declared that the racial and religious restrictions imposed on international dealings by the Saudi Arabian government had been discontinued effective April of that year:

I refer again to your note of January 30, 1952, and my reply of February 6 regarding Saudi Arabian trade discrimination against Jewish firms in the United States. As you know, this action and its possible repercussions in this country were matters of real concern to this Department. *The delicacy of the problem in Saudi Arabia recommended an informal approach rather than official representations to that Government* as best designed to meet with success in causing the discontinuance of that discriminatory practice.

Several frank but friendly discussions were held with the Saudi Arabian Embassy in Washington and by our Ambassador in Saudi Arabia with appropriate high authorities there. I am



now happy to be able to report to you that these efforts have been successful and the broad restrictive Saudi Arabian decree has been superseded as of April 4, 1952.

Regrettably, however, as is evident from the letters quoted earlier, the boycott of Jewish firms has not, in fact, been stopped and continues even to the present month without any lessening of its force.

(1) The Claim of "Private" Boycott

Repeated efforts have been made to persuade the State Department to assert its influence to cause an effective discontinuance of this economic boycott of American Jews. In a letter to Senator Lehman on December 15, 1953, the then Assistant Secretary of State, Thruston B. Morton, declared:

As I informed you in my letter of May 15 last, the Department at that time sought an appropriate occasion to reassert the United States feeling toward the boycott. This presented itself in July, when a report was received from our Embassy in Beirut that there were indications that the Lebanese Government contemplated blacklisting American firms dealing with Israel. The Department promptly took this occasion to instruct the Embassy, and to inform our other Embassies in the area, that if such action were taken it should state in positive terms to the Government of Lebanon that the United States Government was seriously concerned, and that the blacklisting action was unwarranted. Specific points upon which the Department based this position were transmitted to the Embassy for use if the occasion arose, and these points were also relayed to the other Embassies for guidance if they were confronted with a similar situation.

Insofar as the Department has been informed up to this time, the action reportedly contemplated by the Lebanese Government has not been taken. In fact, the Embassy recently took steps to obtain an import permit for an American consignment in transit to Jordan, which had been refused some time ago by the Lebanese Government, and was successful in obtaining it. We are currently taking steps to remove from a blacklist three American tankers refused permission to enter a Saudi Arabian port.

One of the cases cited in your letter had been previously brought to our attention and sent to our Embassy in Saudi Arabia for its report. The other case which you cite has now also been referred to the Embassy. The type of discrimination implicit in these cases is indeed serious. The Department hopes that these instances are in the nature of sporadic, out-of-bounds actions based on excessive zeal or misunderstanding on the part of certain individuals rather than an indication of fundamental intensification of boycott practice by the Saudi Arabian Govern-

ment. This hope is supported by the report which we have just received from the Embassy on the first of the two cases reported to it. The Embassy states that it can find no decree of the Saudi Arabian Government barring imports from Jewish firms but is investigating the possibility that a local sheikh or other official may have issued an order effective only in his area. A leading figure of the Arab League has also recently indicated to an officer of the Department that discrimination of the type exemplified in the cases under reference is not to his knowledge contemplated nor supported by the League.

A letter similar in import was sent to Dr. Nehemiah Robinson, Director of the Institute of Jewish Affairs of the World Jewish Congress, on December 30, 1953 by Merrill C. Fay, Officer in Charge, Economic Affairs, Office of Near Eastern Affairs of the Department of State. Mr. Fay's letter declared:

A report has now been received from the American Embassy in Jidda, Saudi Arabia, in response to the Department's inquiry whether a decree has been issued by that Government prohibiting merchants from trading with Jewish-owned firms in the United States.

The Embassy reports that Decree No. 3/4/2179 of April 4, 1952, forbids the importation of "Israeli products or the products of foreign companies with branches in Israel." Order No. 11299 of August 26, 1953 (16/12/1372) prohibits this importation of goods on "Israeli ships or through Israeli navigation companies or on foreign ships which may anchor, during the trips to Arab countries, in Israeli ports."

The Embassy reports further that no official action has been taken by the Saudi Arabian Government against trade with Jewish firms who do not have branches in Israel or engage in trade with Israel through Israeli shipping companies. It would therefore appear that the documentation requirement mentioned in your letter has no official status.

The Embassy speculates that some Saudi Arabian importers entertain apparently groundless fears that their goods might be confiscated, under one of the foregoing regulations, if the supplying firm bore a Jewish name, may have written to their American connections that a certificate by the local Chamber of Commerce should accompany their shipments. There is nothing that the Department can do, unfortunately, to cause them to desist from such a practice which does not appear to accord with their government's regulations.

You may rest assured, however, that this situation is being kept under constant study by the Department, and that all appropriate steps will be taken to protect the interests of American exporters.

It has already been suggested that the use of private fronts to conceal official governmental boycott of American Jewish firms is

an obvious dodge, one designed to permit Arab countries to engage in anti-Semitic discrimination against American citizens while pleading innocent of any implications in these acts. The insistence by Arab exporters upon a certificate of non-Jewish ownership is too regular and consistent to be attributable only to "excessive zeal" on the part of some "local sheikh." It would be naive to suppose that such a widespread pattern of conduct could be sustained without the approval and participation of government agencies.

Occasionally, the mask has slipped. Recent newspaper accounts indicate that Arab diplomatic officers in this country have admitted government sponsorship of the discriminatory boycott. The New York Mirror, December 29, 1955 reported the existence of a Saudi Arabian blacklist of Jewish firms and declared:

At the Saudi Arabian Consulate in the Chrysler Building, a trade attache admitted that American firms either owned or headed by Americans of the Jewish faith cannot do business with the Arab country.

Similarly, a report in the same newspaper on December 30, 1955 announced State Department disapproval of the exclusion of Jewish firms from this area of international trade and observed:

An official of the Saudi Arabian Consulate in New York declined to confirm the report, but said that Saudi Arabian firms would "naturally be reluctant to deal" with American businesses owned by Jews.

(2) The Boycott Becomes Official

Moreover, evidence has come into the possession of the American Jewish Congress unmistakably establishing overt conduct, not on the part of private individuals, but by authorized representatives of the Saudi Arabian government to promote, create and maintain a boycott of American Jewish business firms. American Jewish exporters have separately filed affidavits with the American Jewish Congress declaring that the Saudi Arabian Consulate in New York City has refused to legalize commercial invoices they have submitted for approval on the grounds that they are "undesirable" concerns. And each of them has attested that he cannot account for this classification except for the intensive questioning that he or his representatives have recently undergone by members of the Consulate staff as to the fact of their Jewish ownership or as to their employment of Jewish personnel. Even the messengers employed by these firms merely to deliver and hand over papers have been interrogated about their religious affiliation. Under the existing custom of international trade the legalization of commercial

invoices frequently is a prerequisite to the fulfillment of contractual obligations between American shippers and Arab purchasers. It will be noticed that in the letters quoted above demanding a certification of non-Jewish ownership, several Arab firms have referred to the fact that "according to Saudi Arabian government regulations all invoices for the goods supplied must be legalized by the Saudi delegation of your side." A refusal by the Saudi Arabian government, therefore, to validate these instruments precludes any possibility of maintaining commercial dealings by American Jewish exporters with their Arab customers.

None of the exporters affected by this ruling until this time had had any difficulty or disagreement with the Arab Consulate in New York or with their Arab customers. Despite the generally understood disapproval by the Saudi Arabian government of commercial transactions carried on by its nationals and foreign Jewish businesses, many of these exporters with the cooperation and help of Arab purchasers had been able to work out devices to avoid official intervention in their transactions. However, the boycott now imposed by Arab government officials flatly precludes any possibility of negotiation or cooperation on the part of private individuals of either country to carry out contracts for trade. It is precisely because this ban is conducted under the auspices of the Arabian governments themselves and not as a result of private individual decision that these American citizens are barred. It is no longer possible to attempt to evade this problem by lightly passing it off as a result of individual misreading of official regulations. This anti-Jewish discrimination stands clearly disclosed as the direct result of official governmental decision and decree.

Moreover, it is indisputable that our own government by now must be aware that the current Saudi Arabian boycott of Jewish firms is, in fact, an official undertaking and an expression of anti-Semitic prejudice by the Saudi Arabian Government itself, and not merely a succession of sporadic, private acts. The following item appearing on page 7 of the *Foreign Commerce Weekly* of March 5, 1956 published in Washington by the United States Department of Commerce establishes that the Department of Commerce, if not the State Department, is fully apprised of the facts:

Saudi Arabia intends to boycott all Jewish or Jewish-directed firms from trading with that country, according to information received by the Bureau of Foreign Commerce.

This new policy greatly extends the provisions of the existing boycott against firms having branches, assembly plants, or general agents in Israel, as well as firms having shares in Israeli companies.

Implementation of the new policy normally will be accomplished by Saudi Arabian Consulates, who are responsible for legalization of commercial invoices and certificates of origin.
[Emphasis added]

Similarly, the *Minutes of the Monthly Round Table Conference* of the *Foreign Credit Interchange Bureau* of March 7, 1956 discloses that Mr. Milton Blecher, Business Analyst of the New York Field Office of the United States Department of Commerce was among the discussants at the Conference and that the following comments on the Saudi Arabian boycott were made:

CHAIRMAN: QUESTION: "Customers in Saudi Arabi have advised that a certificate is required by the Saudi Arabian authorities as to the Jewish or Christian status of the firm for which a letter of credit is to be opened. Such a certificate is to be verified or visaed by the Saudi Arabian Consul in New York. Lack of this certificate, or a certificate indicating that the supplier firm is 'Jewish' would make it impossible to conclude the sale. It is not clear just what is meant by a 'Jewish firm' nor can we comply with such a request without protesting the implication. Has there been any action by the Department of Commerce or by the FCIB to make the impertinence of this requirement known to the Saudi-Arabian authorities?"

MR. MILTON BLECHER (U. S. DEPARTMENT OF COMMERCE): Saudi Arabia intends to boycott all Jewish or Jewish-directed firms from trading with that country, according to information received by the Bureau of Foreign Commerce, U. S. Department of Commerce.

This new policy greatly extends the provisions of the existing boycott against firms having branches, assembly plants, or general agents in Israel, as well as firms having shares in Israeli companies.

Implementation of the new policy normally will be accomplished by Saudi Arabian consulates, who are responsible for legalization of commercial invoices and certificates of origin.

CHAIRMAN: I think Mr. Blecher in his comments also answered question No. 2.

QUESTION: "Several stories have appeared recently in the press regarding a trading boycott by Saudi Arabia against certain American firms. Can you develop this further at the Round Table?"

MEMBER: One part of the discussion has not been clarified. Is this something being considered or are their firms now shipping to Saudi Arabia and having any difficulty.

PANEL MEMBER: I just heard of one case where the consulate in Beirut refused to clear the trans-shipment documents.

MEMBER: Within the last month we received a letter of credit from Saudi Arabi and there was absolutely no question.

PANEL MEMBER: I think there is a private clearance going on here by the consulate and they have certain information on certain firms on the strength of which they act.

MEMBER: We have made several shipments and all that has been required of us has been certificate of origin and that would be legalized by the Saudi Arabian consulate.

MEMBER: What would be considered a Jewish corporation?

CHAIRMAN: Can anybody answer that?

PANEL MEMBER: As far as I know if any member of the firm or part-owner of the firm is of the Jewish faith they will not allow the goods in.

The Department of Commerce is thus aware of the facts. Foreign credit men working in this country are aware of the facts. Virtually the only interested party not aware of the facts is our State Department.

In the one precedent in our history for this withholding of consular approval of commercial documents submitted by American Jewish firms, the then Acting Secretary of State, Alvey A. Adee, in 1895 found this practice to be an "unjust and invidious discrimination against American Jews":

"But the Russian discrimination against American Jews is not confined simply to the matter of vising passports. This department was informed a few years since by the Russian Minister here that Russian consuls in this country would refuse authentication to legal documents for use in Russia when Jews are ascertained to be interested. This is an unjust and invidious discrimination against American Jews. . . ." (Foreign Relations, 1895, page 1067. [Emphasis added])

Acting Secretary Adee called for immediate cessation of these practices and the adoption of preventive measures by this country. It is to be expected that now that all pretense has been dropped and the actual involvement of government officials in the current anti-Jewish boycott is a matter of full public disclosure and information, our State Department officials will similarly be disposed to demand an immediate stop to this intolerable behavior by Arab diplomats in this country.

It is also significant that none of these exporters maintains any branches or transacts any business with the government of Israel or with any Israeli firms. The allegation that only firms with Israeli branches or connections are excluded from Arab trade is a transparent artifice employed by the Arab League to conceal its intention to boycott Jewish firms wherever situated, as is indicated in the remarks of Mr. Blecher of the U. S. Department of Commerce quoted earlier. It cannot be mere accident that so many individual

Arab exporters should have felt constrained to interpret nominally anti-Israel regulations as, in fact, directed against any foreign Jewish enterprise. The merits of Arab hostility to Israel may be debated by other disinterested nations but this hostility cannot in any way be made to justify the current campaign of universal anti-Semitism.

It is worth noting that in some countries, notably Italy and Holland, commercial organizations and government authorities have denounced this Arab policy and have refused to cooperate with it. The Central Organization for Foreign Economic Relations at The Hague has recently advised the Netherlands branch of the International Chamber of Commerce that Dutch members should not supply information relating to the number of Jewish executives and employees employed in Dutch export houses as demanded by various Arab importers. It is also disclosed that: "The Belgian Foreign Ministry is reported to have told the Antwerp association that it is giving sympathetic consideration to the request for international action on the issue." (New York Herald Tribune, Feb. 12, 1956.)

(3) The "Informal Approach" of the State Department

No less should be expected of our own government. Previous State Department demurrers on the ground that the Arab states have the sovereign right to regulate their commerce and their mode of international dealing are not a sufficient reply to the deprivation of rights suffered by American citizens. The operative facts here do not run to any country's sovereignty but rather to our own country's policy of permitting an affront to a section of American citizenry to go unanswered.

Moreover, the State Department surely has a responsibility to reaffirm and continually press, through every possible international forum its whole-hearted opposition to this practice. As Senator Lehman wrote Secretary Dulles on January 25th:

Would you not agree that our government has an obligation to its citizens, and its own ideals, to let the government of Saudi Arabia know not only on one occasion but on repeated occasions that we view with utmost distaste this policy of anti-Semitic discrimination?

It has been already noted that the State Department at one time felt that its intercession had successfully resulted in ending the then concededly official Arab boycott against American Jewish citizens. Recent events obviously disprove this claim. Part of the reason for our government's notable lack of ability to bring this practice to a

decisive end may be found in the hesitant and uncertain attitude of the State Department itself. It will be remembered from Mr. McFall's letter quoted earlier that the State Department was apprehensive about "possible repercussions" at least as much as it was agitated about the admitted fact of discrimination. Mr. McFall's language is suggestive of the State Department's thinking: "The delicacy of the problem in Saudi Arabia recommended an informal approach rather than official representations to that government." And the State Department's notion of what needed to be done culminated in holding "frank but friendly discussions."

It is high time the State Department steeled itself to the realization that "informal approaches" and "friendly discussions", however frank, are not enough to drive home the proposition that this government will not stand for further religious discrimination against its citizens. The fact that the agreement not to boycott did not stick must be attributed to the willingness of our representatives to pussyfoot and equivocate and to act out of fear of loss of advantage rather than out of strength deriving from conviction. Further representations can and ought to be made, but they must be made in firm language and in a formal context that makes it plain that we do not intend to be bought off; that, in short, we are determined with all the vigor and influence we can bring to bear to protect all our citizens alike. It should be made plain that no treaty or trade agreement will be negotiated or maintained between the Arab countries and the United States unless it is expressly understood that all American citizens shall have full and equal right to participate in the trade thus made possible, without regard to religious affiliation. The prestige and influence of the United States is not so inconsiderable that the Arab countries could easily remain recalcitrant and unyielding in the face of a clear and determined expression of policy by this country.

IV. Arab Anti-Jewish Propaganda Activities in the U. S.

Perhaps the most vicious offense committed by Arab governments against Jewish citizens in the United States is their deliberate fomenting of domestic anti-Semitism in this country and their collaboration with and sponsorship of elements in the American hate movement.

A. The Arab Information Center

Prior to the end of World War II, there were virtually no Arab propaganda activities at all in the United States. In November

1944, for the first time an office was established in New York under the name of the Institute of Arab-American Affairs to disseminate material about each of the Arab countries separately as well as about the group of Arab countries united in the Arab League. Though its declared purpose was to "seek to implement its policy as a medium of good will between the United States and Arab countries," most of its activities were concerned with the fight against the establishment of a Jewish national home in Palestine and by 1947 the Institute of Arab-American Affairs was dealing exclusively with the Palestine question.

The main organ of propaganda for the Arabs in the United States is the Arab Information Center recently reactivated in New York City at 445 Park Ave., where it shares quarters with the U.N. delegation of the Kingdom of Yemen. The Information Center is currently headed by Kamil Abdul Rahim, a veteran diplomat who served from 1948 to 1953 as Egyptian ambassador to Washington and is now an accredited member, with the rank of ambassador, of the Yemen delegation to the U.N. As U.N. ambassador, Rahim enjoys diplomatic immunity not only for his own person but also for the premises he occupies, which just happen to be coterminous with those of the Arab Information Center. The Center itself, however, is registered under the Foreign Agents Registration Act. The Center has recently been granted a special fund of \$300,000 to expand its activities against Israel and Zionism. Egypt underwrote the major portion of this expenditure with an allocation of \$140,000; the Arab League allotted \$90,000 and Saudi Arabia \$70,000. Besides this, the Center has been given a regular budget of \$400,000. Thus, it has a total of \$700,000 to spend in the coming year's operations.

B. Collaboration With American Hatemongers

In carrying out its anti-Jewish campaign, the Arab Information Center has determined upon a course of intimate cooperation with professional anti-Semites in this country.

A policy statement sent by Rahim on October 25, 1954 from Cairo before his departure for the United States to head the Center, to Dr. Omar Haliq, Arab League representative in New York (Jewish Telegraphic Agency dispatch of March 17, 1955) declared that the Center henceforth would welcome the cooperation and assistance of professional anti-Semites "in all fields and ways." Rahim emphasized that such activities were to be handled discreetly so as not to expose the Center to charges of anti-Semitism or compromise its character as "a cultural exchange." Rahim indicated

that he intended to deal with this facet of the Center's activities personally.

It is further reported that at about this same time Dr. Haliq sounded out for possible Arab collaboration such figures as Gerald L. K. Smith, who runs the Christian Nationalist Party; Joseph P. Kamp, head of the Constitutional Educational League; Allen Zoll, whose American Patriots, Inc., was listed as "fascist" by the Justice Department; and Benjamin H. Freedman, confessed financier of anti-Jewish publications.

More recently open cooperation between Arab diplomats and American hate groups has become even more bold and unabashed. At a meeting last June of the American Nationalist Coalition, a front group for James H. Madole's National Renaissance Party, cited by the House Committee on Un-American Activities as an avowedly Hitlerite group, Abdul M. Hassan, a member of the Egyptian delegation to the United Nations was a featured and inflammatory speaker. A table at the rear of the meeting room, attended by a uniformed American Nationalist Coalition youth member, offered for free distribution such pamphlets as "Egypt's Agrarian Policy Under The New Regime" by Dr. Abd-El-Razzok Sidky and the "Story of Zionist Espionage in Egypt." According to Madole, the pamphlets were provided free by the Egyptian Embassy and proved the anti-Israel and anti-Jewish charges made in Hassan's remarks. Hassan inevitably later declared that his appearance at the meeting did not necessarily constitute endorsement of the Coalition's entire program. National Jewish Post, June 10, 1955.

C. Distribution Of Anti-Semitic Literature

The increasingly voluminous literature published directly by Arab official propaganda agencies bears a comparable stamp of anti-Jewishness although, significantly, it does not usually bear any imprint identifying its source. Most of the anti-Jewish items now being freely distributed across the country, often elaborately and handsomely printed, are published by the embassies of the Arab states and distributed by the Arab Information Center.

Generally, Arab officials obey the advice given them by American consultants to avoid heavy-handed anti-Jewish themes in their propaganda. On the other hand, the Arabs understand that the terms "Zionist" and "Jew" are so closely identified in the United States by the general public that the theme of anti-Zionism can be handled adroitly to produce anti-Jewish implications, thus the continually repeated refrain concerning "the influence of the American Zionists in Washington."

Occasionally, however, the Arab line is directed into an unmistakable excursion into overt anti-Jewish incitement. This is especially true in two pamphlets now widely in circulation, "Story of Zionist Espionage in Egypt" and "Jewish Atrocities in the Holy Land." Both documents originally were issued by the Egyptian Embassy and were sent without any indication of their source or sponsorship to a large mailing list. They are also distributed by the Arab Information Center. These pamphlets clearly seek not only to inspire antipathy toward Israel but, in addition, to invoke a feeling of anti-Jewish prejudice and bias generally. And as a matter of fact, domestic anti-Semites in the United States already have distributed and exploited these documents for their own purposes. Thus, "The Story of Zionist Espionage in Egypt" is now being circulated by Madole's National Renaissance Party, an openly Hitlerite group, and "Jewish Atrocities in the Holy Land," published six years ago, has been circulated and distributed, and its contents otherwise exploited, by such worthies as Conde McGinley, Gerald L. K. Smith, and Frank L. Britton.

The "Story of Zionist Espionage in Egypt" is openly anti-Jewish as well as anti-Israel. A detailed narration of an alleged spy plot is prefaced with the statement that the Israelis

. . . recruit hundreds of agents, financed through the international system of begging which Israel has invented and brought to an art, and disperse them throughout the Arab world to commit acts of sabotage, destroying the lives of the innocent. . . .

After 40 pages on this subject, the pamphlet then devotes about 15 pages to alleged desecration of Moslem and Christian holy places by "the Zionists" and "the Jewish forces," narrations of the assassinations of Lord Moyne and Count Bernadotte, and finally—after this lengthy warm-up of spying, bombing, atrocity, desecration and assassination—a one-page dissertation on "Zionism and Communism," which begins:

Zionism and Communism are two distinctive forces with one political objective—world domination. Both powers cooperate secretly and in public without friction since the power in the end will eventually go to Zionism.

. . . They will not achieve supremacy until they destroy the Islamic and Christian countries all over the world. Therefore Communism helps Zionism and each in its own way completes the other; only thus will they reach their aim—Zionist world supremacy.

"Jewish Atrocities in the Holy Land" exploits the excesses committed by unauthorized terrorists at the height of the Arab-Israeli conflict; the excesses are attributed to the Jews as Jews. Scattered throughout the pamphlet are photographs of the more revolting kind, including some which show dead victims in various states of decomposition.

The following excerpts are illustrative of the themes in the text of this pamphlet:

Now we have once more to hear the horrible tale of sadistic cruelties and wanton brutalities perpetrated against an innocent population, mainly composed of women, children and old men. But this time the aggressors are those very Jews who were lately so loud in their outcry against the Nazis.

. . . When reading of these atrocious acts, one unconsciously thinks of their perpetrators as being untaught savages, or barbarians of the remote past. Yet these same Jews have for centuries, by virtue of their money-amassing activities, gathered to themselves the cream of culture and refinement of whatever country they have settled in. The wealthy, educated Jew, surrounded by all the culture and art that his riches can command has been a long familiar figure in civilized society.

An even more outrageous document, published by the World Truth League of P.O.B. 44, Jerusalem, Jordan-Arab side, is distributed widely in the United States through embassy offices of the Arab delegations to the U.N. as well as by the Arab Information Center. The sheet, composed in a sensational format, contains touched-up photographs of alleged Israeli massacres of Arab children, old men, and women. It quotes liberally from the "Protocols of the Learned Elders of Zion" to the effect that the Jews believe "the Gentiles are a flock of sheep and we are the wolves and you know what happens when the wolves get hold of the flock." This Jordanian leaflet maintains that Jews, not Israelis, are the unconscionable exploiters of the Gentile world and "they have very well proved it once again by their recent Judaic barbarities against innocent Arab shepherds." It declares that "the basic material in all Jewish propaganda is composed of lies and distortion of facts as is known by now all over the world."

Another column contains citations from books and documents written by Jews of various nationalities around the world, purporting to illustrate the Jewish incendiary revolutionary spirit. Among the persons slandered are Theodore Herzl, Louis Dembitz Brandeis, Harold Laski and Bernard Baruch. The paper also discloses that: "Benjamin Cohen, a Jew from Chile, is just under Trygve Lie, the U. N. Secretary General and his job is to see that Lie follows the

Jew plan." . . . "The United States representative at the U. N. is the Jew, Ernest A. Gross." "Dr. Leo Paslovsky 'Special U. S. Assistant Secretary of State', a Russian born Jew, naturalized American citizen, is the man who drew the United Nations Charter, with the assistance of Alger Hiss, the traitor, who was then in the State Department." "The United States is hopelessly run by Jews and the U. N. is the den of Jewish spies."

It is apparent that crude and vicious canards of this kind are not intended to be limited merely to incitement of hostility against Israel. They are designed for the larger purpose of promoting hatred toward Jews of every national allegiance throughout the world.

D. Defamation by Arab Diplomats

The most astounding and arrogant conduct of all however is the persistent abuse by Arab diplomats of the hospitality granted them by the United States. In addition to the spurious political arguments used by Arab diplomatic representatives to press their cause, they have now added an almost open appeal to prejudice, suspicion and race hate. Recourse to anti-Semitism is nothing new in the history of calumny of the Jewish people but it never before has been attempted in America by foreign diplomats as part of a calculated design.

One of the first reported cases of an attack by Arab spokesmen on American Jews before their fellow citizens occurred in February 1953 during a conference on Middle Eastern Affairs sponsored by the Foreign Service Educational Foundation in Washington, for the benefit of corporations from all over the country. During the conference, a State Department official read an address by Mr. Bakr, then Iraqi Charge D'Affairs in Washington and now his country's Foreign Secretary, in which Bakr used the then recent "Doctor's Plot" of Moscow to show that Jews could really not be trusted anywhere and that they are part of an international conspiracy, whether they are Russian citizens, Americans or citizens of any other country.

(1) Ambassador Zeineddin's Anti-Jewish Campaign

Dr. Zeineddin, Bakr's Syrian colleague, tried out this theme a month later in an address at the University of Vermont and then later in a full-fledged attack on April 15, 1953 at the Seventh Session of the United Nations in New York.

In his address, the Syrian Ambassador stated:

"The steps taken by the Soviet Union were met with deep satisfaction and appreciation in my country and the public

opinion of other Middle Eastern countries . . . Zionism uses the Jewish religion for its political purposes . . . Jews who become Zionists act as a separate closely knit group within their nation. They serve their own Zionist interest. Their allegiance is therefore not to their legal country. Their allegiance to their legal country is formal and not real. Their real allegiance would be to Zionism and Israel, i.e., to a foreign authority. An American, an Argentinian, a Russian or a Syrian Zionist are all one in furthering the aims of Zionism in Israel, be it to the detriment of the interests of their legal country. This, naturally, creates mistrust, suspicion and apprehension between Zionist Jews and non-Jews. Thus Zionism breeds and enhances the growth of anti-Semitism. In fact everywhere that Zionism grew, it brought anti-Semitism in its wake.

After piously insisting that he is not anti-Semitic (“How can we Arabs be anti-Semitic? Are we not Semites ourselves?”), Dr. Zeineddin repeated the familiar calumny of the “international Zionist conspiracy” in the following remarks:

“Zionists today are organized all over the world . . . they join political parties ranging from diehard conservatism to communism, but as Zionists they work towards one end . . . Zionism works in a way which constantly adversely affects world peace and the security of other states by inciting the Jews to feel that they are exiles in their various homelands and by developing in them a conviction that they are an entity of their own in any country. It breaches, with one stroke, the national unity in their country on the basis of religion, thus diminishing national harmony.”

These remarks have formed a consistent pattern. Thus, Zeineddin has declared over a radio program broadcast over the NBC network:

“As you may know, Zionism is based upon a distinction as to race and religion between the Jew and the Gentile. They [Zionists] attempt to have the Jews consider themselves as exiles in other countries . . . and there you have the idea of the diaspora . . . and that they should be assembled in Palestine. A Zionist, therefore, gets to be loyal to Israel and gets to be loyal to the Zionist movement if he is really a Zionist. His loyalty to Zionism undoubtedly may diminish his loyalty to the country in which he lives, and therefore Zionism brings some shade of doubt as to the loyalty of Jews in other countries of whom many might be loyal.”

Similarly in a television broadcast some time later, carried over the Dumont network on November 2, 1953, he stated further:

“When an individual becomes a Zionist he acquires a double loyalty, his allegiance is divided. If he is a strong Zionist, his

allegiance will certainly go to Israel, even against his very own country, be it the United States, or Syria, or any other country. He is then legally an American, but in fact his allegiance is due to some other principle, that of Zionism, or to some other country such as Israel."

Far from abating, Dr. Zeineddin's incitement of domestic anti-Semitism has become an increasingly intense pre-occupation. In a speech delivered before the Women's National Democratic Club in Washington in November 1955 he brazenly impugned the loyalty of American Jews to their own country. Zeineddin charged that "Zionist pressures" on the United States Government and Zionist propaganda had distorted and perverted Arab and American relations. He characterized Jews throughout the world as "mongrelized Russians" who cannot ever claim to be an integral part of a country in which they reside, that they consider themselves "different," that they refuse to assimilate and owe their allegiance solely to international Zionism. He wound up his speech by declaring that if there is such a large and urgent sentiment in this country for a creation of a Jewish state "then the only fit place for them is New York City." (New York Post, November 16, 1955.)

On November 17, 1955 in a lengthy meeting with George V. Allen, Assistant Secretary of State for Near Eastern Affairs, Zeineddin boasts of having said that: "Zionism seeks with some success to make of the United States and in the United States a center for its world-wide activity which is inimical to other states and which is morally unfounded." Zeineddin reportedly urged that the United States "find it fit to look into this matter in view of its international implications." He stressed that the Arabs were especially anxious to see the United States Government look into tax exemptions by Jewish charity contributors. He claimed such deductions really supported "a foreign political movement." (Jewish Telegraph Agency, November 18, 1955.)

A similar refrain has recently been picked up by the diplomatic representatives of other Arab countries. In an address to the Economic Club of Detroit on October 31, 1955, Dr. Mohamed Fadhil Al-Jamali, Foreign Minister of Iraq and head of its U. N. delegation described the situation "created by a U. S. policy which has been inspired mainly by Zionist propaganda and pressure":

"... They (the Arabs) feel that American policy cannot easily relieve itself from Zionist pressure and Zionist manipulation of the Jewish vote. Next year is an election year. Could the peoples of the U. S. who have peace and American interests at heart see to it that Zionist propaganda becomes ineffective in the

election campaign? It is most important for U. S. interests in the Middle East that U. S. policy should not be influenced by Zionist pressure. . . .”

The canards currently being circulated by Arab diplomats have not gone unnoticed and they have not been condemned only within the Jewish community. The leaders of five prominent non-Jewish nationality groups in America, including the president of the Czechoslovak National Council of America, the director of the American Hungarian Federation, the chairman of the National Anti-Defamation Committee of the Order of the Sons of Italy in the U. S., the director of the American Lithuanian Information Center, the executive secretary of the Ukrainian Congress Committee and the editor of the leading Polish language newspaper in the United States, recently protested to Secretary of State Dulles against Zeineddin's libels. They wrote, "To us, the substance of the Ambassador's remarks in many ways was virtually indistinguishable from Nazi racial theories which, within all our memories have brought about such ruin and loss to the world." (J. T. A. November 22, 1955.)

(2) Recruiting Arab Student Propagandists

The anti-Semitic activities of the Arab diplomats have been supplemented by the more informal if no less intense propaganda efforts of Arab students now studying in the United States. Cairo radio broadcasts monitored in the United States report that the more than 2,000 Arab students in this country have been directed by the Arab League to assume an active role in the promotion of anti-Israel and anti-Jewish propaganda in this country. According to these broadcasts, Arab students have been supplied with anti-Zionist literature and have been instructed to deliver anti-Zionist lectures not only on campus but in the general communities outside the universities in which they study, and they have been directed to exert themselves to stimulate pro-Arab and anti-Jewish articles in the American press. The indefatigable efforts of the Arab League to exploit every possible resource to incite anti-Jewish feeling in this country is evidenced in the following item in the January, 1956 Newsletter of the Arab Students Association at Columbia University:

Arab Students Abroad to Defend Arabism. The Secretariat-General of the Arab League requested member-states to furnish the League with the names of its nationals studying abroad. The Secretariat intends to provide these students, wherever they may be, with information which will help them defend Arab interests.

The same Columbia University Newsletter includes samples of the materials to be used as "factual information" by Arab students invited to college forums and other public meetings. A characteristic example is the following "item" attributed by the Newsletter to the Egyptian weekly *Al Musawwar*:

We Egyptians do not face a small country called Israel, but a well organized international movement called Zionism. This movement exerts tremendous pressure on the governments of the United States, France, England and other Western countries.

Some Western and Eastern bloc countries supplied Israel with arms during the 1947 conflict. Certain Army Generals, fliers and soldiers who fought for Israel were not Jews; identification cards of prisoners taken during that war testify to that.

Israel was established upon the bodies of Palestine's rightful inhabitants, through funds obtained from the pockets of American, British and French Zionists.

The Arab League is careful not to miss a trick. It does not scruple at abusing the special status enjoyed in this country by diplomats and visiting students, and it does not hesitate to attempt to convert each of its nationals in the United States into an instrument for the promotion of anti-Israel and anti-Jewish doctrine in this country. That such conduct is improper, that it violates the hospitality extended by the host state, that it is offensive to the beliefs and traditions of the people of the United States is apparently a matter of no concern.

V. Recommendations

While we recognize that the government of the United States from time to time has expressed its passing disapproval of Arab anti-Jewish discrimination against American citizens, we submit that far more vigorous action is called for than until now has been forthcoming. American Jews have the right to expect their government to protect their dignity and good name and their right to travel or engage in commerce abroad on an equal footing with their fellow-citizens of other faiths. The effect of present Arab policy is not only to deny equal treatment to American citizens in Arab territories but to extend anti-Semitism into new and unexpected places here. The time is overdue for official American spokesmen to meet infringements by foreign states upon the rights of

American citizens with decision, firmness and a determination to protect American rights.

The argument that a firm protection of the rights of our Jewish citizens must be damaging to our economic interests is false and misleading. Arab leaders are if anything practical men. And Arab economic relations are based not upon sentiment but upon interest. Any concessions that may now be enjoyed by the United States in Arab lands do not derive from any innate liking that Arab leaders have for this country or from their natural sympathy for our democratic objectives. These benefits result more simply from the enormous consideration that the United States is able to pay in return. It is incredible that this immense American revenue, absolutely vital to the support of the Arab economy will be refused because of our insistence upon equal treatment for all our citizens. Sovereign decisions on economic and political matters are not made to turn solely upon such factors.

American spokesmen appear sometimes to misunderstand our role. Our relations with the Arab states are not those in which we entreat their favor. We come with gifts in our hands amounting to hundreds of millions of dollars a year and Arab statesmen perceive this truth, perhaps more clearly and accurately than our own. If the Arab governments have felt during the past decade that they could ignore the protests of American ministers and secretaries of state, it is because and only because they felt American protests were half-hearted and unwilling and because they were convinced that this government spoke only for some special interests or for some special point of view. The intolerable abuse of American citizens by Arab states will be corrected just as quickly as they become convinced that for this country it is indeed intolerable.

The action necessary by the United States to convince the Arab governments of our determination and resolve to protect the rights of all our citizens equally can readily be prescribed. It would quickly be achieved by adoption of the following measures:

1. No treaty or trade agreement should be negotiated between the Arab countries and the United States unless it is stipulated that all American citizens shall have full and equal right to participate in the trade thus made possible, without regard to religious affiliation.

2. No contract should be negotiated with the Arab states by any agency of the United States whether it be for defense, security, or for any other reason, that allows or requires American Jews to be excluded from employment pursuant to its terms. It shall be made a part of each American-Arab agreement that there shall be no reli-

religious discrimination as a result of these joint undertakings against any American citizens.

3. Existing American subsidies including those granted under the International Wheat Trade Agreement should be discontinued for trade in Arab countries unless it is explicitly understood that American Jews shall be permitted full participation without prejudice because of their religious beliefs.

4. No agency of this government, military or diplomatic, should be permitted to consider religious affiliation in selecting personnel for assignment to Arab countries.

5. No discriminatory hiring practices should be condoned or excused because of the possible exclusion of Jews from Arab lands by Arab refusal to issue necessary visas.

6. The United States should prohibit immigration whether temporary or permanent, whether for tourists or for permanent residents, from any Arab state which bars entry to any American citizen because of his religious beliefs.

7. Any member of a diplomatic mission to this country who indulges in public anti-Jewish activities aimed directly or indirectly against American Jewish citizens or the American Jewish community generally should be declared *persona non grata* by our government.

8. Any member of a diplomatic mission to this country who refuses to process commercial or legal documents because they are offered by Jewish business firms or who makes inquiries into the religious affiliation of persons who come before him in his official capacity should be declared *persona non grata*.

9. Any person present in the United States on a student visa who engages in public anti-Jewish activities aimed at American citizens should have his student visa terminated, since even the most permissive view of academic freedom cannot justify the promotion of race hatred.

10. The United States delegation to the United Nations should assume the initiative in demanding U. N. inquiry into practices of Arab states that are violative of the common pledge of all U. N. member states to promote universal respect for human rights.

Each of the nine other measures may be initiated by unilateral action of the United States. The anti-Jewish efforts of Arab countries, however, have spilled over every national border and while the general refusal of the civilized world to give way to Arab prejudice is gratifying, the fact that no concerted effort has been made

to meet it decisively must be regarded as a serious shortcoming. The time has come for an international effort to put an end to a policy which is damaging to international trade and causes loss and grave inconveniences to people of many nationalities. Under Article 55 of the Charter, the United Nations undertakes to promote "universal respect for and observance of human rights and fundamental freedoms for all without distinction as to race, sex, language or religion" and under Article 56, "all members pledge themselves to take joint and separate action in cooperation with the Organization for the achievement of the purposes set forth in Article 55." These texts are susceptible to many and varying interpretations but to seek to reconcile them with a new and deliberate policy of discrimination on an international scale is to denude words of their meaning. The action of Saudi Arabia in instituting discriminatory commercial practices against groups of citizens distinguishable only by their religion in countries with which it enjoys normal diplomatic relations is manifestly irreconcilable with the principles and purposes of the United Nations as embodied in the Preamble to the Charter and in Articles 55 and 56.

Whatever may be thought about the right of a government to practice or tolerate discrimination against its own nationals, the practice of discrimination against the citizens of other states is clearly not compatible with an undertaking to promote "universal respect" for human rights, to say nothing of the comity of nations. If this precedent is allowed to stand without challenge, and is imitated elsewhere, the international community would be exposed to a new and serious menace. The national economy of every country would be opened to the operation of officially sponsored influences dangerous to its welfare and hostile to its traditions.

Conclusion

Decisive action by the United States will clear the air. We may confidently expect that Arab governments will desist in their discriminatory practices once our position is indicated by unequivocal action. The arithmetic of advantage is plain. Arab leaders could not repudiate American support without the prospect of certain financial loss. Our serious insistence upon an end to discrimination would doubtless persuade Arab spokesmen acting out of an enlightened self-interest to discontinue their anti-Semitic conduct. In any event, this is a risk we are fated to run. No honorable alternative exists.

We respectfully disagree with Secretary Dulles that Arab affronts to American citizens must be suffered peaceably so that our nations may "get along together in a way that is to our mutual advantage." There can be no "mutual advantage" when one of the terms of the bargain requires that we condone and ratify religious bigotry. We believe, as President Wilson believed in a comparable situation, there comes a time—and that time is now—when we must finally say: the price is too great.

ISRAEL GOLDSTEIN

President, American Jewish Congress

PHILIP BAUM

WILL MASLOW,

Of Counsel

April, 1956

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